



MARCH 2003 AGENDA

SUBJECT	X	ACTION
		INFORMATION
		PUBLIC HEARING

Recommendation:

The State Board of Education adopt the proposed regulations.

Summary of Previous State Board of Education Discussion and Action

A public hearing on the proposed regulations occurred at the State Board of Education (SBE) meeting on February 6, 2003. The State Board approved amending the proposed regulations to reflect recommendations presented in the last-minute memorandum.

Summary of Key Issue(s)

Education Code section 49423.6 requires CDE to develop and the SBE to adopt regulations regarding the administration of medication in the public schools pursuant to Section 49423.

The purpose of the regulations is to clarify the requirements of state law consistent with best health care practices. The regulations provide guidance on who may administer medications to pupils requiring medications during the regular school day, under what conditions such administration may occur, and the requirements for the delivery, administration documentation, and disposal of medications.

These proposed regulations are based on a draft developed by a statutorily required committee that included representatives of parents, the medical, nursing, and teaching professions, the California School Boards Association, the Advisory Commission on Special Education, the Department of Health Services, and the Board of Registered Nursing. Upon direction from the SBE, the draft developed by this committee was further modified by CDE and SBE staff to address issues brought before the State Board in June 2002.

The regulations were amended to reflect amendments approved by the State Board after the public hearing in February and were sent out for a 15-day review.

Fiscal Analysis (as appropriate)

Attachment(s)

[Attachment 1](#): Proposed regulations

A summary of public comments received will be provided in the supplemental agenda.

CALIFORNIA STATE BOARD OF EDUCATION

1430 N Street; P.O. Box 944272
Sacramento, CA 95814-5901



February 14, 2003

**15-DAY NOTICE OF MODIFICATIONS TO TEXT OF
PROPOSED REGULATIONS**

Pursuant to the requirements of Government Code section 11346.8(c), and Section 44 of Title 1 of the California Code of Regulations, the State Board of Education (State Board) is providing notice of changes made to proposed regulation Sections 600 – 612 which was the subject of a regulatory hearing on February 6, 2003. These changes are in response to comments received regarding the proposed regulation.

If you have any comments regarding the proposed changes that are the topic of this 15-Day Notice, the State Board will accept written comments between February 14, 2003 and February 28, 2003, inclusive. All written comments must be submitted to the Regulations Adoption Coordinator via facsimile at (916) 319-0155; email at dstrain@cde.ca.gov or received by mail at the following address no later than **5:00 p.m. on February 28, 2003**, and addressed to:

Debra Strain, Regulations Adoption Coordinator
California Department of Education
LEGAL DIVISION
1430 N Street, Suite 5319
Sacramento, California 95814-5901
Telephone: (916) 319-0641

All written comments received by **5:00 p.m. on February 28, 2003**, which pertain to the indicated changes will be reviewed and responded to by California Department of Education staff as part of the compilation of the rulemaking file. Please limit your comments to the modifications to the text.

The State Board has illustrated changes to the original text in the following manner: regulation language originally proposed is underlined. The 15-Day Notice illustrates deletions from the language originally proposed using a "~~strikeout~~"; and additions to the language originally proposed using CAPITOL LETTERS and double-underline.